



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
CHARGE AGAINST AN AGENCY

FOR FLRA USE ONLY

Case No.

Date Filed

1. AGENCY AGAINST WHICH CHARGE IS BROUGHT

a. Name of Charged Agency (include address, city, state, & ZIP)

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

b. Agency Representative (include name, title, address)

Krysti Corbett
Division Director
Labor & Employee Relations (OARM/OHR/LERD)

tel. (202) 564-6295

fax (202) 564-8121

e-mail

2. CHARGING PARTY

a. Name of Charging Party (include address, city, state, & ZIP)

National Council of EPA Locals #238
American Federation of Government Employees (AFL-CIO)
P.O. Box 2546
Chicago, IL 60690

b. Charging Party Representative (include name, title, address)

Thomas F. Muther, Jr.
Minahan Muther Klinger, PC
5132 W 26 Ave
Denver, CO 80212

tel. (303)986-0054

fax (303)986-1137

e-mail

josh@cofedlaw.com

3. BASIS OF THE CHARGE

a. Set forth a clear and concise statement of the facts constituting the alleged unfair labor practice, including date and location of the particular acts.

On June 25, 2019, the Agency notified the Union of its intention to repudiate the 2007 Master Collective Bargaining Agreement along with the 2013 Groundrules and Addendum that were entered into by the parties to govern contract negotiations. Additionally, the Agency notified the Union of its intention to engage in bad faith bargaining by implementing a unilaterally imposed replacement "collective bargaining agreement" on July 8, 2019.

The Union specifically requests the FLRA to take steps to have the Agency's repudiation and bad faith bargaining attempts enjoined.

19-0606

b. Which subsection(s) of 5 U.S.C. 7116(a) do you believe the Agency has violated? (1) ☒ (2) ☐ (3) ☐ (4) ☐ (5) ☒ (6) ☐ (7) ☐ (8) ☐

c. Have you or anyone else raised this matter in any other procedure? No ☒ Yes ☐ If yes, where?

☐ Grievance Procedure ☐ Federal Mediation and Conciliation Service ☐ Federal Service Impasses Panel
☐ Equal Employment Opportunity Commission ☐ Merit Systems Protection Board ☐ Office of Special Counsel
☐ Other Administrative or Judicial Proceeding ☐ Negotiability Appeal to FLRA ☐ Other

4. DECLARATION

I DECLARE THAT I HAVE READ THIS CHARGE AND THAT THE STATEMENTS IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001.

THIS CHARGE WAS SERVED ON THE PERSON IDENTIFIED IN BOX 1b BY [check all appropriate boxes]

☒ In Person ☐ 1st Class Mail ☒ Fax ☐ Commercial Delivery ☐ Certified Mail ☐ e-mail (see reverse)

Thomas F. Muther

Type or Print Your Name

Joshua D. for T. Muther
Your Signature

June 25, 2019

Date

* * * Communication Result Report (Jun. 25. 2019 11:21AM) * * *

1)
2)

Date/Time: Jun. 25. 2019 11:18AM

File	No. Mode	Destination	Pg(s)	Result	Page Not Sent
0885	Memory TX	FLRA DENVER	P. 1	OK	

Reason for error

E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection
E. 6) Destination does not support IP-Fax

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b. Agency Representative (include name, title, address) Kyril Corbett Division Director Labor & Employee Relations (OARM/OHR/LEND) tel: (202) 264-6295 fax: (202) 954-8121 e-mail: kcorbett@epa.gov		b. Charging Party Representative (include name, title, address) Thomas F. Muthar, Jr. Minakha Muthar Kinger, PC 5132 W 26 Ave Denver, CO 80212 tel: (303) 985-0054 fax: (303) 986-1137 e-mail: josh@corfedaw.com										
3. BASIS OF THE CHARGE												
a. Set forth a clear and concise statement of the facts constituting the alleged unfair labor practice, including date and location of the particular act. On June 25, 2019, the Agency notified the Union of its intention to repudiate the 2007 Master Collective Bargaining Agreement along with the 2013 Groundrules and Addendum that were entered into by the parties to govern contract negotiations. Additionally, the Agency notified the Union of its intention to engage in bad faith bargaining by implementing a unilaterally imposed replacement "collective bargaining agreement" on July 8, 2019. The Union specifically requests the FLRA to take steps to have the Agency's repudiation and bad faith bargaining attempt enjoined. 19-0606												
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* * * Communication Result Report (Jun. 25. 2019 11:21AM) * * *

1)
2)

Date/Time: Jun. 25. 2019 11:19AM

File	No. Mode	Destination	Pg(s)	Result	Page Not Sent
0886	Memory TX	12025648121	P. 1	OK	

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3. BASIS OF THE CHARGE			
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